

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

BRANDY MASSEY,)	
)	
Plaintiff,)	
)	
vs.)	No. 05-0143-CV-W-FJG
)	
FLYING J, INC.,)	
)	
Defendant.)	

ORDER

Currently pending before the Court is plaintiffs' Motion to Remand (Doc. # 7). Plaintiff recently filed a Stipulation stating that she agrees that the amount of damages claimed by her will forever be less than \$75,000.00. Plaintiff acknowledged that the Stipulation is binding upon her and cannot be rescinded or revoked under any circumstances. Defendant filed a response stating that in light of plaintiff's stipulation limiting her damages, it withdraws its opposition to plaintiff's Motion to Remand and agrees that the case may be remanded. However, defendant state that it reserves all defenses to plaintiff's claims of liability and does not stipulate that plaintiff has sustained any damages.

Therefore, the Court hereby **GRANTS** plaintiff's Motion to Remand (Doc. # 7) and hereby **REMANDS** this case to the Circuit Court of Jackson County, Missouri at Kansas City. The Clerk of the Court is directed to mail a certified copy of this Order to the Clerk of the Circuit Court of Jackson County, Missouri as required by 28 U.S.C. § 1447(c).

Date: June 29, 2005
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
United States District Judge